



Oregon

John A. Kitzhaber, M.D., Governor

Department of Environmental Quality

Northwest Region
2020 SW Fourth Avenue
Suite 400
Portland, OR 97201-4987
(503) 229-5263 Voice
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April 12, 2002

Al Erdman
Dean of College Services
Clackamas Community College
19600 South Molalla Ave.
Oregon City, OR 97045

RE: Conditional No Further Action Determination
ODOT-Ambler Road East
ECSI Site ID No. 2373

Dear Mr. Erdman:

The Oregon Department of Environmental Quality (DEQ) has completed a review of all documents related to investigation and cleanup activities at the former Oregon Department of Transportation (ODOT) – Ambler Road East site. The property consists of Parcels 1 and 2, and Tract A and B, of Partition Plat No. 2001-093 in Clackamas County Partition Plat Records (see attached site map), located at the northeast corner of SE 82nd Avenue and SE Sunnybrook Road in Clackamas County, Oregon. The site is currently owned by Clackamas Community College (CCC), and occupied by the CCC Public Safety Training Center, and a Clackamas County Sheriff's Office. All work was performed under a Voluntary Cleanup agreement between DEQ and ODOT dated October 4, 1994.

DEQ has determined that no further action is required to address environmental contamination at the ODOT-Ambler Road East property provided the engineering and institutional controls installed at the site are maintained. This determination is based on the regulations and facts as we now understand them, including but not limited to the following:

1. The site was owned by ODOT from approximately 1950 to the late 1990s, and for a portion of the time used as a disposal location for street sweepings and road construction/demolition wastes. An asphalt "batch plant" also operated on-site.
2. Site investigation work completed largely between 1993 and 1995 determined that site fill contains elevated metals (principally lead and arsenic), total petroleum hydrocarbons (TPH), and polynuclear aromatic hydrocarbons (PAHs). Metals and petroleum hydrocarbons were also detected in a former on-site ditch that received runoff from upland on-site areas. Native soil and groundwater underlying the fill have not been impacted, nor does contamination extend beyond site boundaries. Wetlands occupying the north end of the site, and Phillips Creek bordering the site on the east, have likewise not been significantly impacted by site contamination.
3. A 1995 risk assessment document determined lead and PAHs in soils exceeded protective levels under both residential and site worker exposure scenarios. Lead and



arsenic in ditch sediments were found to exceed background concentrations, and have the potential to be released to Phillips Creek and pose a risk to ecological receptors. A feasibility study completed in 1996 identified excavation of contaminated ditch sediments (estimated 200-300 cubic yards), and capping of excavated sediments and contaminated site fill (estimated 45,000 cubic yards), as the most appropriate remedial action considering the balancing factors outlined in OAR-340-122-090.

4. Following public notice and comment, the remedy was selected and documented in a Record of Decision (ROD) dated May 23, 1996. The ROD stipulated that the cap consist of a demarcation layer and a minimum of 2 feet of clean fill. Site buildings and hardscape areas were allowed as substitutes for the clean fill cap. The ROD further required that the site owner record a DEQ-approved deed restriction with the property deed indicating the location and characteristics of contaminated soil, describing required cap maintenance activities, and providing for DEQ notification should land ownership change.
5. Excavation of contaminated ditch sediments and capping of contaminated soil was completed in 1997 and 1998 concurrent with development of a CCC Public Safety Training Center, and Clackamas County Sheriff's Office, at the site. Approximately 360 yards of sediment were removed from the ditch and placed in the upland contamination area, and the latter capped with a combination of clean fill and hardscape materials (concrete and asphalt). A Closeout Report documenting the completion of excavation and capping activities was submitted to DEQ in January 1999. DEQ approved excavation and capping activities, and a revised closeout report, in June 1999.
6. An Equitable Servitude and Easement deed restriction was completed and recorded in Clackamas County (#2002-025158) on March 15, 2002.
7. Inspections of the site cap were completed in December 1999 and June 2001 by CCC. The cap was found to be in good condition.
8. The site was partitioned in 2001 into four separate parcels (see Attachment 1). It is expected that ownership of Tract B and Parcel 2 will be transferred from CCC to ODOT and Clackamas County, respectively, in the near future.

DEQ concludes that based on the information presented to date, the ODOT-Ambler Road East site is currently protective of public health and the environment as long as the engineering and institutional controls are maintained as described above. The site requires no further action under the Oregon Environmental Cleanup Law, ORS 465.200 et seq., while the required conditions are maintained unless new or previously undisclosed information becomes available. We will update the Environmental Cleanup Site Information System (ECSI) database to reflect this decision.

The ODOT-Ambler Road East property was placed on DEQ's Inventory of sites that have a confirmed release and need additional investigation on October 21, 1997 as required by ORS 465.225. The facility will remain on the Inventory as required by ORS 465.230(2) as long as protection of human health and the environment is dependent on engineering and institutional controls.

Yearly inspection (and maintenance, as necessary) of all parts of the cap by CCC is required in order for the no further action determination to remain in place. An example Cap

Inspection Form is included with this letter. Please note that CCC is required to notify DEQ when the expected change in ownership of portions of the site takes place. At that point, inspection and maintenance of the cap becomes the responsibility of the respective owners, unless CCC decides to retain responsibility for this work.

If you have any questions about this letter, please contact Dan Hafley at (503) 229-5417.

Sincerely,

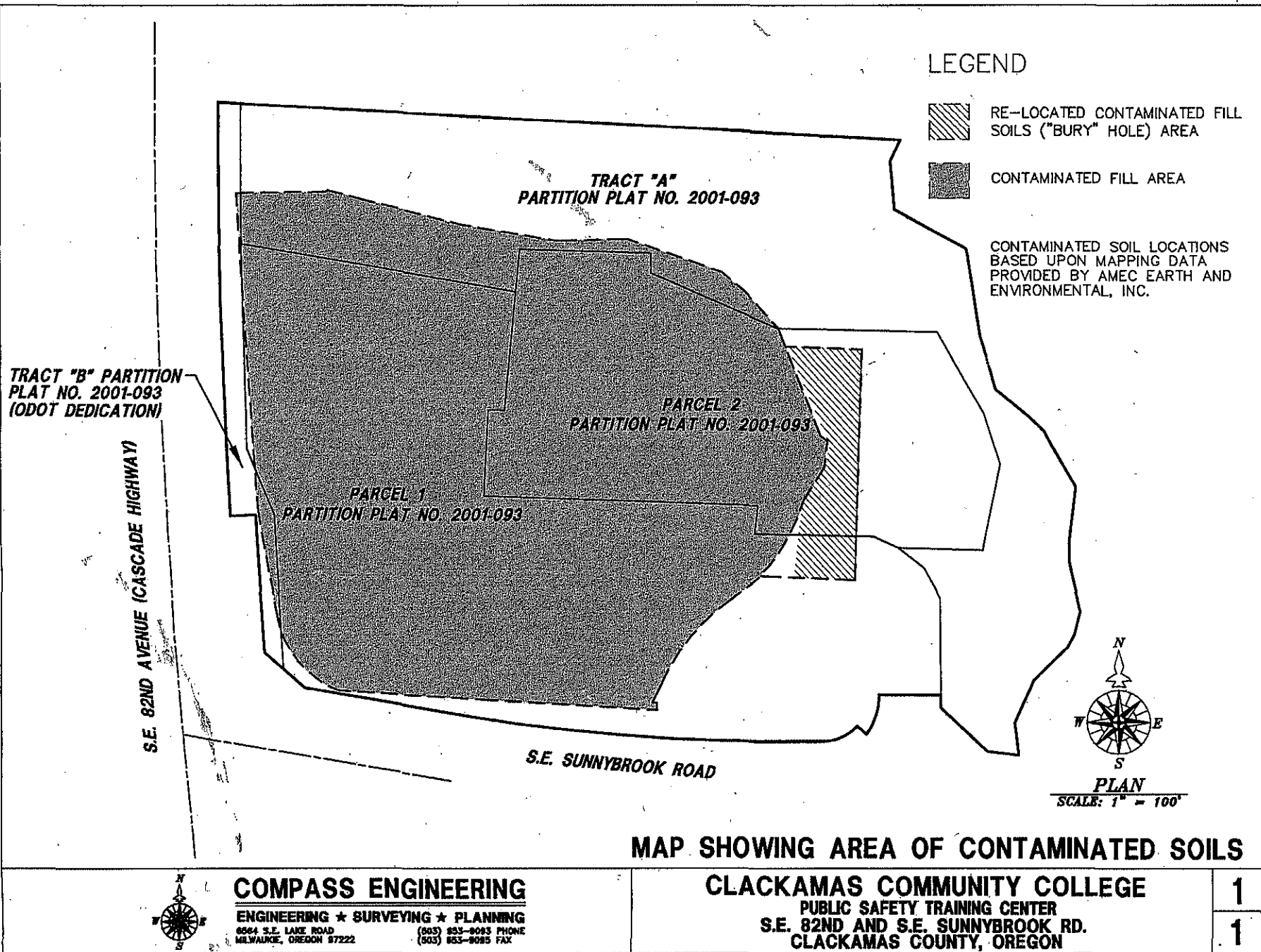
A handwritten signature in black ink, appearing to read "Michael E. Rosen". The signature is fluid and cursive, with a long horizontal line extending to the left.

Michael E. Rosen, Manager
Cleanup and Portland Harbor

Enclosure: site map with partition information
cap inspection form

cc: Hank Schmid, ODOT
Jenny Armstrong, ODOT
David Knowles, Shiels Oblatz Johnsen
Chuck Esler, AMEC

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CAP INSPECTION REPORT

ODOT-AMBLER ROAD EAST (CCC PUBLIC SAFETY TRAINING CENTER) PORTLAND, OREGON

Background: Site soils contain elevated concentrations of lead and polynuclear aromatic hydrocarbons (PAHs). The selected remedial action for the site (1996) is capping of soil with a fabric demarcation layer (orange open-weave fencing) and either 2' of clean soil (in landscape areas), or a minimum of 10" of asphalt or concrete with gravel underlayment (in hardscape areas). In addition to the land beneath and around the training center, the southern embankment of the wetland area immediately north of the training center is also capped. Erosion of capping materials in this area is of particular concern.

Inspection Date: _____

Party Performing Inspection:
(include name, affiliation, and phone#)

Inspection being performed for:
(generally current site owner)

Condition of Protective Cover by Type (please note any problems such as rutting, erosion, cracking, exposure of demarcation layer, or other damage to or loss of protective cap materials):

1. Landscaped Areas

2. Hardscape Areas

3. Wetland Embankment Hardscape Areas

Conditions of Site Drains or Other Features (please note any drainage or other problems which could or has damaged the cap):

Identify any maintenance required (be specific), or where evidence exists that maintenance has occurred since the last site inspection. Attached maintenance/repair reports for any work performed.

Note: photographs should be taken of all areas of concern to document the condition of the cap. Photographic evidence should include pictures of any cap damage and repairs performed.

Send one (1) copy of completed Inspection Report, with supporting documentation including photos, repair reports, etc. to:

Oregon Department of Environmental Quality
Northwest Region – Voluntary Cleanup Program
2020 SW Fourth Avenue, Suite 400
Portland, OR., 97201-4987
ATTN: DAN HAFLEY

COPIES OF INSPECTION AND MAINTENANCE/REPAIR REPORTS AND
SUPPORTING DOCUMENTATION SHOULD BE MAINTAINED BY THE OWNER
ON-SITE.